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REMARKS

Reconsideration of this Application is respectfully requested in light of the amendments provided below. Claims 35-40 and 44-59 are pending. Claims 48-59 have been withdrawn from consideration as directed to a non-elected invention. Claim 35 has been amended and Claims 38 and 41-43 have been canceled. No new matter has been added.

Rejection under 35 U.S.C. §112

Claims 35-40 and 44-47 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Page 2 of the Office Action states that the claims recite a composition comprising a proliferation-incompetent LnCaP, PC3 and DU145 cell engineered to express GM-CSF and the specification has support for autologous or allogeneic GVAX which is engineered to express GM-CSF.

The guidelines for determining compliance with 35 U.S.C. §112 note that the written description requirement for a claimed genus may be satisfied through sufficient description of a representative number of species by actual reduction to practice, reduction to drawings, or by disclosure of relevant identifying characteristics, *i.e.*, structure or other physical and/or chemical properties, by functional characteristics coupled with a known or disclosed correlation between function and structure, or by a combination of such identifying characteristics, sufficient to show the applicant was in possession of the claimed genus.

The claims have been amended to remove reference to DU145 cells. Paragraph [0078] of the published application describes an allogeneic prostate GVAX vaccine trial where 21 patients were vaccinated with GM-CSF-expressing LNCaP (LNCaP/GM) cells and GM-CSF expressing (PC-3/GM) cells.

It follows that one of ordinary skill in the art would be informed by the teachings of the subject specification, as to how to make and use LnCaP and PC3 cells engineered to express GM-CSF commensurate in scope with the present claims. In view of the above amendments and remarks, withdrawal of the rejection is respectfully requested.

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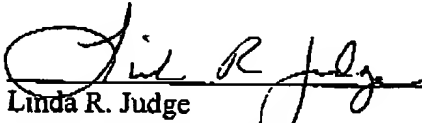
CONCLUSION

Applicants respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to contact Linda R. Judge (Reg. No. 42,702) at 415/836.2586.

Respectfully submitted,

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Dated: October 11, 2006  
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